

REMARKS

In the outstanding Official Action, claim 10 was objected to because of the noted informality in language. In response, claim 10 is herewith amended to correct the noted informality, and additionally claim 16 has been amended to correct a nonsubstantive informality. It is respectfully submitted that the foregoing amendments place the claims in proper form.

On the merits, claims 1-20 were rejected under 35 USC 102(b) as being anticipated by Minemura et al, for the reasons of record. In response, the independent claims (claims 1 and 11) are herewith amended to more particularly and precisely define the invention in a manner which clearly distinguishes over Minemura, and it is respectfully submitted that these independent claims, as herewith amended, and the remaining claims depending therefrom, are now clearly patentably distinguishable over the cited and applied reference for the following reasons.

More particularly, as herewith amended, the independent claims are directed *inter alia* to a method and apparatus for writing a reference data pattern using a reference set of write parameters of the laser device to the test region; and writing a measurement data pattern which varies from said reference data pattern using a measurement set of write parameters of the laser device to the test region. Support for the additional limitation that the measurement

data pattern varies from the reference data pattern is to be found in the instant specification at page 4, lines 26-28.

It is suggested in the Action that this subject matter (excluding the newly-added limitation) is disclosed in Fig. 15 of Minemura, wherein the first and subsequent trial writings correspond to the writing of a reference data pattern and an measurement data pattern. However, it is clear from the associated description in Minemura (in the paragraphs spanning pages 6 and 7) that the technique disclosed therein is to write data and then rewrite such data at least once more, rather than to alternately write a reference data pattern and then a measurement data pattern which varies from the reference data pattern as now more particularly and precisely recited.

Accordingly, it is respectfully submitted that independent claims 1 and 11, as herewith amended, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied reference for the reasons detailed above. Allowance of the instant application is therefore respectfully

submitted to be justified at the present time, and favorable consideration is earnestly solicited.

Respectfully submitted,

By 
Steven R. Biren, Reg. 26,531
Attorney
(914) 333-9630